REMARKS

This Amendment is submitted in reply to the final Office Action mailed on October 13, 2005. Claims 1-19 are pending in this application. In the Office Action, Claims 18-19 are rejected under 35 U.S.C. §112, second paragraph, Claims 1-4, 6-7 and 9-19 are rejected under 35 U.S.C. §112, first paragraph, Claims 1-5, 7-9, 11-16 and 19 are rejected under 35 U.S.C. §102 and Claims 6, 10 and 17 are rejected under 35 U.S.C. §103. In response, Claims 1 and 18-19 have been amended, and Claim 5 has been canceled. This amendment does not add new matter. In view of the amendments and/or for the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, Claims 18-19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, Applicants have removed the term "if necessary." As a result, the metes and bounds of Claims 18-19 in view of the specification are clear to one having ordinary skill in the art. Based on at least these noted reasons, Applicants believe that Claims 18-19 fully comply with 35 U.S.C. §112, second paragraph.

Accordingly, Applicants respectfully request that the rejection of Claims 18-19 under 35 U.S.C. §112, second paragraph, be withdrawn.

In the Office Action, Claims 1-4, 6-7 and 9-19 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Specifically, the Patent Office alleges that the specification does not provide enablement for a process using any amino acid and reducing sugar. In response, Applicants have amended Claim 1 to list the amino acids recited by Claim 5. Based on at least these noted reasons, Applicants believe that Claims 1-4, 6-7 and 9-19 fully comply with 35 U.S.C. §112, first paragraph.

Accordingly, Applicants respectfully request that the rejection of Claims 1-4, 6-7 and 9-19 under 35 U.S.C. §112, first paragraph, be withdrawn.

In the Office Action, Claims 1-3, 7-9, 11-16 and 19 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,432,459 to Bel Rhlid et al. ("*Rhlid*"). Claims 1, 4-5, 7-8 and 14 are rejected under 35 U.S.C. §102(b) as anticipated by JP 74006108 ("*'108*"). Applicants respectfully disagree with and traverse these rejections for at least the reasons set forth below.

Applicants have amended independent Claim 1 to include the elements of Claim 5. Amended Claim 1 recites, in part, a process for the preparation of an aromatizing composition, which comprises conducting a bioconversion of a mixture of at least two amino compounds, wherein the amino acids are selected from the group consisting of arginine, citrulline, glutamine, ornithine, praline and combinations thereof. In contrast, the cited references fail to disclose or suggest every element of Claim 1.

Rhlid fails to disclose or suggest conducting a bioconversion of a mixture of at least two amino compounds such as arginine, citrulline, glutamine, ornithine, praline or combinations thereof as required by Claim 1. In fact, *Rhlid* fails to mention these amino acids anywhere in its disclosure.

Similarly, the *'108* patent also fails to disclose or suggest conducting a bioconversion of a mixture of at least two amino compounds such as arginine, citrulline, glutamine, ornithine, praline or combinations thereof, as required by Claim 1. Instead, the *'108* patent discloses a process for preparing flavor additives. Moreover, the Patent Office has failed to provide any support in the *'108* patent for these elements.

In addition, Applicants submit that the *'108* patent does not disclose preparing aroma precursors, but rather aroma per se. For example, the *'108* patent teaches making a fermentation of skim milk (a milk based product) and adding a heat treated mixture of saccharides and amino acids, which is the product of a Maillard reaction. As a result, the aroma products are already in other compositions and are not themselves precursors to baked goods as the claimed aromatization compounds are.

For the reasons discussed above, Applicants respectfully submit that Claim 1 and Claims 2-5, 7-9, 11-16 and 19 that depend from Claim 1 are novel, nonobvious and distinguishable from the cited references.

Accordingly, Applicants respectfully request that the rejections of Claims 1-5, 7-9, 11-16 and 19 under 35 U.S.C. §102 be withdrawn.

Claims 6, 10 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Rhlid*. Applicants respectfully submit that the patentability of Claim 1 renders moot the obviousness rejection of Claims 6, 10 and 17. In this regard, the cited art fails to teach or suggest the elements of Claims 6, 10 and 17 in combination with the novel elements of Claim 1.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same.

Respectfully submitted,

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Dated: March 23, 2006